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THE CASE OF COLONEL WOLFORD.

Another instance of Executive Usurpation.

MR. LINCOLN'S ACTION IN THE MATTER.

Arbitrary Arrest and Proffer of an Abolition Parole.

Col Wolford's Indignant Refusal to Bargain for his Liberty and his Rights!

PROTEST OF A LOYAL KENTUCKIAN.

The Abolition War Policy of Mr. Lincoln Shown up in its True Light.

The arrest of Colonel Wolford, of Kentucky, last summer, for not indorsing the President's abolition policy, has already been announced; but certain documents connected with the matter have recently come to light, which show up most thoroughly Mr. Lincoln's conduct in the matter. The important portions of the correspondence between Colonel Wolford and the President are subjoined:

LETTER FROM MR. LINCOLN.

EXECUTIVE MANSION,
WASHINGTON, JULY 17, 1864.

Colonel Frank Wolford.

MY DEAR SIR: By this mail I send to Hon. John Speed a blank parole in duplicate, which, if you choose, you can sign and be discharged. He will call upon you. I inclose a printed copy of the letter I read to you the last day you were with me. and which I shall be pleased for you to look over.

Very respectfully,

A. LINCOLN.

The blank parole mentioned in this note was as follows:

JULY, 1864.

I hereby pledge my honor that I will neither do nor say anything which will directly or indirectly tend to hinder, delay, or embarrass the employment and use of colored persons as soldiers, seamen, or otherwise, in the suppression of the existing rebellion so long as the United States Government chooses so to employ and use them.

This document in blank bore the following indorsement:

Colonel Frank Wolford is discharged from his parole given me July 7, 1864, and allowed to go at large upon the conditions of the parole by him signed on the other side of this paper.

A. LINCOLN.

LETTER OF COLONEL WOLFORD

LOUISVILLE, Ky., July 30, 1864.

To Abraham Lincoln, President of the United States.

SIR: I have the honor to acknowledge the receipt of your letter, proposing to me a discharge from an arrest in many ways vexatious and inconvenient, upon my signing a parole, whereby I am to pledge my honor that I will neither do nor say anything which will either directly or indirectly tend to hinder, delay or embarrass the employment and use of colored persons as soldiers, seamen, or otherwise, in the suppression of the rebellion, so long as the United States government chooses so to employ and use them.

In answer to this proposal I have frankly to say, that I cannot bargain for my liberty and the exercise of my rights as a freeman on any such terms. I have committed no crime. I have broken no law of my country or of my state. I have not violated any military order or any of the usages of war. No act or word of mine has ever given encouragement to the enemy. I have no sympathy with the rebellion. All my sympathies are with, and all my hopes are for my country. The triumph of the national arms, the preservation of the Union, the maintenance of the Constitution, the restoration of the supremacy of the law over all the states, and the perpetuation of civil and religious liberty, are the objects most dear to my heart. I may say, without presumption, that I have done more to enlist white men in the army of the Union than any other man in the State of Kentucky. I have done nothing to hinder the enlistment even of negroes, because I do

not associate with them, and have no influence over them.

You, Mr. President, if you will excuse the bluntness of a soldier, by an exercise of arbitrary power have caused me to be arrested and held in confinement contrary to law, not for the good of our common country, but to increase the chances of your election to the presidency, and otherwise to serve the purposes of the political party whose candidate you are. And now you ask me to stultify myself, by signing a pledge whereby I shall virtually admit your right to arrest me, and virtually support you in deterring other men from criticising the policy of your administration. No sir, much as I love liberty, I will foster in a prison, or die on a gibbet, before I will agree to any terms that do not abandon all charges against me, and fully acknowledge my innocence. Since you have taken my case into your own hands, Mr. President, let me appeal to your sense of justice, and ask that you will give to what I have to say in my defence a candid hearing, and then do what you see fit. And here I trust I shall be pardoned if I speak of myself somewhat more largely than the canons of good taste might seem to warrant; for, as my acts are the subject of the accusation against me, so they are my sole defense. Whether or not they form a triumphant defense, you, sir, shall judge.

On the 10th of March, 1864, in the city of Lexington, Kentucky, the Union men of Fayette county were pleased to present me with a very fine sword, a pair of valuable pistols, and a pair of spurs. In response to an eloquent presentation speech made by a learned divine, I delivered a Union speech, the leading purpose of which was to promote the recruiting of men for a division of cavalry, which I then had the honor to command, whose ranks had been greatly thinned by heavy losses in battle—the division having just come to Kentucky from the front for the purpose of recruiting, refitting, and remounting. I made a long speech, in which I fully discussed the wickedness of the rebellion, and contrasted the misery and despotism of the so-called southern government with the happiness and freedom of our own. In the course of the speech I spoke of your abolition policy, and condemned it. But I insisted that it was the duty of all good citizens to defend their country by fighting the rebellion, whether they approved the course pursued by the administration or not. For the true character of this speech, I refer you to the statements of M. C. Johnson and others, which I inclose. The men whose names are subscribed thereto are men of the highest order of intellect and of the most elevated moral character. The substance of what they say therein can be proved by five hundred ladies and gentlemen. For this speech I was arrested and sent to Knoxville, in the State of Tennessee, where I remained, without any charges being preferred against me, until you were induced, by some wicked men in Kentucky, who knew that no court-martial could be found who would even censure me for anything said in that speech, to issuse an order, founded on a bare rumor, as you yourself informed me, dishonorably dismissing me from the service of the United States for a violation of the fifth article of war, for disloyalty, and for conduct unbecoming an officer and a gentleman. Now, Mr. President, what I wish to call your attention particularly to is the fact that every word contained in this order of dismissal is false—that there is not the least foundation in truth for anything contained in it. I did not violate the fifth article of war, nor did I ever violate any article of war in my life. It was my duty to study the articles of war, and to teach them to my men; and I think I understand them. The only thing I said about you personally was that you had told a great political truth when you said that you had no power under the Constitution to interfere with the domestic institutions of the states. I further said that you were the President of the United States, and as such the commander-in-chief of the army, which made it my duty to respect your position, and to obey all the legal orders that emanated from you.

Your order charges me with disloyalty. Surely I am not disloyal. I never did a disloyal act, spoke a disloyal word, or thought a disloyal thought in all my life. Disloyalty is treason, and treason is the highest crime known to the law. The charge of disloyalty should not be lightly made against any officer or citizen. As proof that I am not disloyal, let me set before you a few facts. At the commencement of this war I opposed the doctrine of neutrality in Kentucky. When Governor Magoffin refused to respond to your call for volunteers, I raised a company on my own responsibility, and held it in readiness for my country's service. Afterwards, by your permission, under the auspices of the lamented Nelson, I raised the First regiment of Kentucky volunteer cavalry, and had it mustered into the service of the United States. I raised this regiment at my own expense, without ever asking the government to refund the money. I was almost three years in the service, always in front, and always present in the discharge of my duty, although at the time suffering from severe wounds received in battle. I was almost all the time fighting, so that the fights and skirmishes I was in number over three hundred. I was in almost all the fights that were fought in the States of Kentucky and Tennessee. I was in all the chases after Morgan, and was present and second in command when he was captured. In many fights I commanded a regiment, in many others a brigade, and for a long time and in many fights a division. For proof that I did my duty in the field and in the camp, and that my command always behaved well and always fought well, I refer you to Generals Burnside, Shackelford, Robson, Sturgis, and Carter. I never made any written reports of the battles I fought, because I seldom had time; besides, I was not seeking fame, and did not desire promotion. Loving my men from long association with them, I resolved, after I was dismissed, to join my old regiment as a private; but I was so disabled by the wounds I had received in battle that I could not pass the examination of the surgeons. I then thought of going along with my old comrades at my own expenses, but was prevented from

doing so by an order. Being thus cut off from doing anything for my country in the army, I accepted the nomination of the Conservative Union Convention as a candidate of that party for the office of elector at the next presidential election, and commenced a canvass of the State. My first appointment was at Lebanon on the 29th day of May, 1864, and from there I had a number of appointments filling up the month of June. On the 26th day of May I received from Governor Bramlette this note:

HEADQUARTERS KENTUCKY VOLUNTEERS,
FRANKFORT, May 26, 1864.

Colonel Frank Wolford:

You are requested to raise a regiment of six months troops. You will rendezvous at Lebanon.

THOMAS E. BRAMLETTE,
Governor of Kentucky.

I determined to comply with his request, and accordingly filled my appointments for the double purpose of discharging my duty as an electoral candidate and of raising the regiment. Thus you see that one of my objects in making the very speeches on account of which I am accused of discouraging enlistments was to enlist troops; and it was not until after I had succeeded in enlisting a full regiment that I was arrested. Think of it! You charge me with discouraging enlistments by my speeches when those very speeches enabled me to raise a regiment for the service in shorter time than any regiment was ever raised before in the State of Kentucky. Speaking for recruits, and obtaining them with unprecedented rapidity, and yet discouraging enlistments!

But your friends say I did not ask the negro to join me. It is true, I did not. I told the people that I wanted white men, brave men, and honest men; and that I would not receive, if I knew it, a negro, a coward, or a thief, as I desired to associate with my men, and did not wish to associate with negroes, as I desired to whip the rebels, and wanted brave men with whom to do it; as I desired to cultivate good feelings between the citizens and soldiers, and therefore wanted honest men, who had a high appreciation of private rights, and who would remember that the dwelling of every American citizen is sacred, because it is the castle of a freeman's defense and the home of a sovereign. In relation to enlisting slaves, I did say that I was opposed to the policy of the act of Congress authorizing it, and doubted its constitutionality, but that it was the duty of the people to make no opposition to it except legal opposition; that they had a right to bring suits and let the judiciary decide the question. Those speeches were made to white men, not for the purpose of preventing the enlistment of negroes, but one purpose was to allay the excitement of the citizens and keep down forcible resistance to your measures, and I know that they did much good in that way. And now, Mr. President, I propose for every negro that any of your agents can find that has been directly or indirectly influenced by any of my speeches not to join the army, to find you one hundred white men who have been kept out of the army by your proclamations. You have the power, but truth and justice are with me. I thank you for the printed copy of your letter to Mr. Hodges, which you sent to me with the proffered parole. I have read it carefully and find in it this remarkable statement:

"By general law, life and limb must be protected, yet often a limb must be amputated to save a life; but a life is never wisely given to save a limb. I felt that measures otherwise unconstitutional might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation. Right or wrong, I assumed this ground and now avow it."

Unless I have been strangely misinstructed, Mr. President, the Constitution is not a limb attached to the government, but is the life of the government. In destroying it, you destroy the bond by which the Union is held together, and take the life of the government. The idea of an unconstitutional policy becoming necessary to preserve the government and save the Constitution is like the idea of killing a man to save his life and keep him from dying of disease. You annul the law to make the rebels obey it—disregard the Constitution to make them respect it—break your [illegible] keep from breaking it. The framers of the Constitution surely never intended that a President should tamper with his solemn oath and with that sacred instrument in such a manner.

Again, you say:

"I was, in my best judgment, driven to the alternative of either surrendering the Union, and with it the Constitution, or laying strong hands upon the colored element. I chose the latter."

Do you really mean to say that the white citizen-soldiers could not whip the rebels, and that, after exhausting all the wisdom, strength, resources, power, and valor of the white men, you fail to save the Union; that, with two millions of able-bodied white men still in reserve, you had to force the negroes to fight in order to save the country? If you do, Mr. President, what a compliment you pay to white men in and out of the army! One negro, according to this doctrine, is worth in the army much more than a dozen white men. Do you believe it sir? You claim a gain by this policy of one hundred and thirty thou[illegible]d colored soldiers in the army. Would not two hundred thousand white men have done as well? You add:

"Now, let any Union man who complains of this measure test himself by writing down in one line that he is for subduing the rebellion by force of arms, and in the next that he is for taking one hundred and thirty thousand men from the Union side and placing them where they would be but for the measure he condemns. If he cannot face his case so stated, it is only because he cannot face the truth."

I am that Union man, and thus I face the case. To place your one hundred and thirty thousand colored men where they would be but for the measure in question, would be to place most of them back into the corn-fields to raise supplies for our army, and to return the remainder of them to their legal owners, making them a monument of the justice,

magnanimity, and good faith of our government, being, as they would be, so many living witnesses that you had kept your pledges, while their places in the army would be ten times more than filled by five hundred thousand white men, who but for this measure would have volunteered. Now, Mr. President, will you test yourself, by writing down on one side of the paper that at the commencement of this war you took an oath to preserve the Constitution, and to see that the laws made in pursuance thereof were faithfully executed; that you pledged yourself to the people that you would carry on the war for the defence of the Union alone, and not in any spirit of conquest or subjugation; that you would not interfere with the rights of the States, or with the domestic institutions, with the rights of individuals, or with their private affairs; that the relations of parent and child, guardian and ward, husband and wife, master and servant, should all be respected and remain unchanged by the war; that these pledges strengthened the weak, confirmed the doubtful, fired the patriot's heart with new zeal, and enabled you to command all the available Union strength in the nation; that upon them Congress voted all the men and money that you desired; that soon you had collected by volunteering the purest, noblest, grandest army of intelligent Christian soldiers that ever was seen on the face of the earth; that this grand army, composed of Democrats, Republicans, Old Line Whigs, Abolitionists, and men of no party, met around the altar of their country, and, standing upon your pledges, sunk the partisan in the patriot, and in the name of the God of Liberty and of the Union, were marching forward like a band of brothers to victory and to glory; that your pledges, too, had inspired the Union man inside of the rebel lines with new hope and new life, and made him rejoice in the justice of the Goverment of his fathers, and finally, that they served to increase division and distraction in the rebel army and among the southern people, so that great hopes were entertained of a counter revolution in the South in favor of peace and the Union. Write down these facts on one side, I say, and then write down on the other side that you changed your mind and violated all these pledges; that you broke the Constitution and your oath to preserve it; that you interfered with the rights of the States and of individuals; that you usurped the power to disturb the relations between master and servant, and issued proclamations freeing the slaves; that you procured the passage by Congress of odious confiscation laws; that you are now trying to change this war into a war of plunder, conquest, and subjugation; that you claim the right to reduce sovereign States into the condition of conquered provinces; that to accomplish these things you have placed the military above the civil authority; that you have instituted a system of arbitary arrests which has given rise to numerous instances of cruelty and oppression, by dragging innocent men, and in some instances even women and children, away from their peaceful homes, to undergo the privations of a prison, in which some of them must die, and all to gratify the private malice of some of your partisan leaders, though I do not pretend to say that wicked men are not sometimes arrested; that you have constituted strange and unconstitutional courts to try citizens, denying them the right of being confronted with their accusers face to face, as well as the right of a trial by jury, and denying them the benefit of the law as well as the privilege of having it expounded in their behalf by a learned judge, these strange courts having usurped the power to imprison citizens for life, and even to banish them from their country; that you have declared martial law and denied the writ of habeas corpus in the loyal State of Kentucky, at a time when the civil authority was in full force; that you have permitted military officers in Kentucky to interfere with the freedom of elections by issuing orders stating who shall be allowed to run for office, and who shall be allowed to vote—thus drying up all the fountains of civil liberty, and leaving life and property insecure; and, finally, that the effects of this change of policy have been to drive many original Union men in the South into the Rebel Army, and to unite the Southern people to such an extent that all hopes of a counter-revolution in the South are lost, at least for the present, while so dividing the people of the loyal States that you have fears—which God grant may never be realized—that a revolution will burst forth in the North which may cause you to lose your head, and also cause the Union to be lost in the midst of disorder, blood, and ruin. If, Mr. President, you cannot face your case so stated, it is only because you cannot face the truth.

If you, by persisting in your policy of forcibly abolishing slavery, should cause this war to continue two years longer, it will involve this nation in a debt the amount of which will be twice as much as the value of all the taxable property the nation contains. It will bring over a million of freemen to a bloody end. It will cause cripples, and widows, and orphans to become so numerous, and crime, and violence, and blood, and misery, will increase to such an extent, and you tyranny will have to become so great in carrying out the policy that you have adopted in order to keep down the discontented and wounded spirits that your course will cause to rise up to defy you, that impartial history, in attesting the goodness and severity of God, will write you down the greatest tyrant that ever lived. But this is an episode, though one to which you have invited me by calling my attention to your letter. To return to the immediate subject of this answer; if you are not willing to release me without a pledge, then I ask that you will turn me over to the civil authorities, in whose hands I can have a fair and impartial trial by a jury, meet my accusers face to face, and receive the benefit of the law. If you will not do this, send the commission that you promised me immediately, so that I may have the thing over. I desire to commence the canvass. We, the Union men of Kentucky, claim as constitutional rights, alike in time of war and in time of peace, the freedom of speech, the freedom of the press, and the freedom of election; and we claim that the freedom of speech and the freedom of the press extend to the unrestricted discussion of the merits and demerits of every candidate for office, yourself among the rest—to the criticism of your whole course, conduct, and policy, the policy of enlisting slaves not excepted. You must undergo the same tests that are applied to other candidates. If not, our system of free government is a mockery. Governor Bramlette has issued the proclamation in relation to elections that you desired. Will you now issue the one you promised Mr. Harding and myself, assuring the people of Kentucky of a free election? Hoping, Mr. President, that peace may speedily be established upon the basis of our glorious Union, and that the Constitution of our fathers, surviving the wounds that you have given it, may become an immortal instrument, living in the minds and hearts of a great and free people for all ages to come, I am, sir, your most obedient, humble servant,

FRANK WOLFORD.